

**IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

<b>UNITED STATES OF AMERICA</b>	)	
	)	
<b>V.</b>	)	<b>CASE NO: 2:07-CR-260-MHT</b>
	)	
<b>WILLIAM TOBY KIMBROUGH</b>	)	

**UNOPPOSED MOTION TO CONTINUE TRIAL**

**NOW COMES** the Defendant, by and through the undersigned counsel and pursuant to 18 U.S.C. § 3161 (h), and respectfully moves this Court to move this matter for trial from the March 17, 2008 trial docket.

In support of this Motion, defendant would show:

1. That undersigned counsel's defense expert witness, Jimmie Fisher, has previously made arrangements for personal leave to be in Egypt on the date presently scheduled for trial and will not return until the end of March.
2. This rescheduling is necessary for effective preparation of an adequate defense and for our expert to have adequate time to complete her review of the discovery in this matter and to testify if necessary.
3. Counsel for the prosecution does not oppose this motion.

**WHEREFORE**, defendant respectfully requests that this Motion be granted.

Respectfully submitted,

**s/Christine A. Freeman**  
**CHRISTINE A. FREEMAN**  
**TN BAR NO.: 11892**

Federal Defenders  
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**CERTIFICATE OF SERVICE**

I hereby certify that on February 25, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following: Nathan Stump, Esq., Assistant United States Attorney.

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